

Serial No.: 470,042

Title: An Electronic Menu Document Creator

In a Virtual Financial Environment

In reply to Office action mailed: March 24, 2003

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### **Remarks/Arguments**

Claims 1-18 have been rejected under 35 U.S.C. § 103(a). Claims 1-18 have been canceled without prejudice or disclaimer. New claims 19-51 have been added. Support for this amendment may be found, for example, with respect to the illustrations and descriptions of Figs. 24-30. Therefore, claims 19-51 are pending. No new matter has been added to the claims or prosecution of this application. For at least the reasons stated below, Applicants assert that all claims are in condition for allowance.

#### **A. 35 U.S.C. § 103 Rejections**

Claims 1-18 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over *Hartheimer et al.* (U.S. Patent No. 5,305,200) (Hartheimer) in view of *Ginter* (U.S. Patent No. 6,185,683) (Ginter). Applicants respectfully oppose these rejections. MPEP 2143 provides in part, "To establish a prima facie case of obviousness...the prior art reference...must teach or suggest all the claim limitations." (emphasis added). Because the cited references alone or in combination fail to teach or suggest all of the claim limitations, Applicants respectfully request that the Examiner's §103 rejections be withdrawn.

Claims 1-18 have been canceled without prejudice or disclaimer. New claims 19-51, of which claims 19, 30, and 41 are independent, have been added. Claims 19, 30, and 41 each recite the following features:

a selection allowing mechanism that allows a buyer to select among a plurality of documents associated with a proposed transaction;

a requirements allowing mechanism that allows the buyer to indicate requirements of trade terms of an agreement relating to the documents selected;

a permitting mechanism that permits a seller to at least one of agree to and amend the trade terms on an electronic document platform;

a creating mechanism that creates a new version of a form delineating the trade terms upon each amendment;

a negotiation allowing mechanism that allows a negotiation of the trade terms of the agreement between the buyer and the seller;

a displaying mechanism that displays the form detailing the negotiation of the trade terms;

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a digital signature permitting mechanism that permits a digital signature of the form detailing the negotiation of the trade terms;

an organizing and storing mechanism that organizes and stores the documents supporting the form; and

an initiating mechanism that initiates payment to the seller only after receiving a verification of credit of the buyer.

Neither Hartheimer nor Ginter appear to disclose a method, computer program, or system that operates in a manner as recited by Applicants' claimed invention. Neither Hartheimer nor Ginter appear to disclose a method, computer program, or system that allows a buyer to select among a plurality of documents associated with a proposed transaction, allows the buyer to indicate requirements of trade terms of an agreement relating to the documents selected, permits a seller to at least one of agree to and amend the trade terms on an electronic document platform, creates a new version of a form delineating the trade terms upon each amendment, allows a negotiation of the trade terms of the agreement between the buyer and the seller, displays the form detailing the negotiation of the trade terms, permits a digital signature of the form detailing the negotiation of the trade terms, organizes and stores the documents supporting the form, and initiates payment to the seller only after receiving a verification of credit of the buyer. Therefore, Applicants respectfully submit that new independent claims 19, 30, and 41 are allowable for at least the foregoing reasons.

Claims 20-29, 31-40, and 42-51 depend from at least one of new independent claims 19, 30, and 41. Therefore, Applicants respectfully submit that claims 20-34, 36-50, and 52-66 are also allowable for at least the foregoing reasons.

#### **B. Conclusion**

Applicants submit that all pending claims are allowable and respectfully requests that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 949-823-6055. If any fees are due in connection with the filing of this paper, then the

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Commissioner is authorized to charge such fees to Deposit Account No. 50-1901 (Reference 60021-340001).

Respectfully submitted,

  
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